UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK JUDGE MAND

UNITED STATES OF AMERICA

-v.-

WAIVER OF INDICTMENT

08 Cr.

(LBS)

GWENERVA D. CHERRY

Defendant.

The above-named defendant, who is accused of violating 18, United States Code, Sections 153 and 2, being advised of the nature of the charges and of her rights, hereby waives, in open Court, prosecution by indictment and consents that the proceeding may be by information instead of by indictment.

New York, New York February 13, 2008

> Gwenerva D. Cherry Defendant

Federal Defenders of New York, Inc. Attorneys for Defendant

Gwenerva D. Cherry

IN UMENICALLY FILED DOCUMENT DATE FILED.